

**PRESS STATEMENT DELIVERED BY PIERRE SANÉ
FOLLOWING DEATH ROW VISIT
TEXAS -- 9 OCTOBER 1997**

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Last night, a few miles from here, Ricky Green was killed by the State of Texas.

In the 1930s and 40s, more than 7 million people were killed by the state of Germany.

In 1945 the world came together after the horrors of the Nazi concentration camps and drew up the Universal Declaration of Human Rights.

The Declaration confirmed the rights of every citizen of the world regardless of their class, creed, colour or religion.

Articles Three and Five of the Declaration stated that everyone has the right to life and that everyone has the right not to be subjected to cruel, inhuman or degrading treatment.

It is therefore with great sadness and anger that I stand before you today having just visited the 440 men that the state of Texas has deemed unfit to live.

As the rest of the world continues to turn its back on the use of the death penalty, Texas is escalating its state killing.

As the majority of nations realize that the death penalty brutalizes society, that it is not effective as a crime control measure and that it has no place in the modern world, Texas moves into the higher league of state-sanctioned murder along with countries such as Iraq, Iran, China and Nigeria.

Amnesty International is sympathetic to the victims of crime. It does not seek to excuse those on death row for their actions that lead to their conviction. As an organization working for the victims of torture and oppression, we are in many ways a victims' rights organization.

Not only is Texas the state with the highest number of executions in the USA, but also the legal protections provided to those facing death at the hands of the state are pitifully poor.

Jesse Jacobs, executed here in 1995, died after the State had presented two entirely different versions of his crime in different trials.

George McFarland is condemned to death after being represented by a lawyer who fell asleep during his trial. No doubt the Texas authorities will argue that the appeal courts will correct examples of inadequate legal representation of death row inmates.

However, since the appeals courts allowed Carl Johnson to be executed in 1995 despite the fact his lawyer fell asleep during his trial, it is difficult to see how the appeals process can be considered to be an adequate safeguard against injustices.

Perhaps most alarming of all are the prisoners condemned to die who are not guilty of the crime for which they were convicted.

Seven men have been released from this prison after being condemned for crimes for which they are innocent.

On average, they spent over 10 years on death row before being cleared by the appeals process.

However, rather than add further safeguards to ensure that innocent people are not killed by the state, Texas has passed legislation that will shorten the time taken by legal appeals.

How many innocent people will Texas execute before it realizes that any justice system is fallible; and that the death penalty is irreversible and that mistakes cannot be rectified.

In 1993 at the US Supreme Court hearing in the case of Herrera vs Texas, the Assistant Attorney General of Texas argued that for the state to execute an innocent man would not actually violate the United States Constitution, provided that the prisoner had had a fair trial.

This statement, more than any other, shows the extent to which the Texas authorities are prepared to go in order to carry out executions.

I have just met with three men who await their deaths -- all have areas of their trial that appear to be unfair and yet, to date, none has had those concerns addressed by the appeals courts.

The United States is the world leader for executing juveniles. Texas is the leader in the US for sentencing juveniles to death; 25 of the 62 juveniles sentenced to death in the US are in Texas. Twenty-three of them are from the ethnic minorities.

Robert Carter was convicted of a crime committed when he was 17-years-old. At that time the state of Texas would not have deemed him fit to vote in an election, drink alcohol or buy a pack of cigarettes, but they would allow him to be tried as an adult and sentenced to death.

The Texan authorities did this, even though Robert Carter is mentally retarded and brain damaged.

The jury that sentenced Mr Carter to death were unaware of his mental problems, his impoverished background or any other mitigating circumstances which might have persuaded them to spare his life.

Cesar Fierro, a Mexican national, was convicted and sentenced to death after threats were made to his family in order to obtain a confession from him.

He knew that the Mexican Police were holding his mother and step-father without charge, and was told by the Texan Police that they would be tortured if he failed to confess.

The prosecutor in the case has since signed an affidavit stating that he believes the Mexican and Texan police officers conspired to force the confession from Mr Fierro.

Had the prosecutor been aware of this at the time of his trial, he would have joined with the defence team's motion to have the confession thrown out. He now believes that without the forced confession, the charges against Mr Fierro would have been dropped.

Twelve Mexican nationals are under sentence of death in Texas. None of them were informed of their right to seek assistance from the Mexican Consulate.

This a violation of international law; specifically of the Vienna Convention on Consular Relations, which was signed by the USA in 1963.

Today, I have also met Kenneth Ransom. Mr Ransom will die, poisoned by chemicals in 19 days time at 7pm on October 28.

He was sentenced to death by a jury that knew about the horror of his crimes. We do not seek to excuse him from his actions in the murders or suggest that he should not be punished.

But the jury did not know all the information they needed to judge whether Mr Ransom was fit to live.

The abuse suffered by Mr. Ransom during his childhood makes tragic reading. The Texan authorities removed Mr Ransom from the care of his mother when he was nine.

His entire body was covered with wounds and burns caused by whippings he received with an electrical cord and hot wires.

In his nine short years he had suffered continuous abuse at the hands of his mother and older brothers.

Mr. Ransom's defence team could hardly plead that they knew nothing of these mitigating circumstances, as one of them had legally represented Mrs Ransom when the state removed her children from her.

Yet he chose not to present this tragic story to the jury when pleading for Mr. Ransom's life.

Mr Ransom knows the exact date, time and method of his death and, as you can imagine, he is terrified.

The US Constitution forbids cruel and unusual punishment. How Mr Ransom's treatment could not be deemed to be cruel and unusual is beyond belief.

The US Supreme Court has spoken of an “evolving standard of decency” for society in its rulings. Now Texas must evolve to a standard of decency whereby it abandons its use of capital punishment.

The time has come for the state of Texas to end its use of state-sanctioned killings.

The conveyor belt of death must stop.

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